

OFFICE OF THE ATTORNEY GENERAL



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STATE OF ALABAMA

JUN 26 1985

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Honorable Dan Turner
Director
Emergency Management Agency
220 North Hull Street
Montgomery, AL 36130

Emergency Management - State
Agencies - State Property

State emergency management
agency may loan necessary
equipment to county agencies
during an emergency.

Dear Mr. Turner:

This is in response to your request for an opinion from the Attorney General regarding the propriety of loans of property (vehicles, radios, etc.) by your agency to county emergency management agencies.

Code of Alabama 1975, §§31-9-1 et. seq. establish the state emergency management agency and provide for that agency's duties and authority in conjunction with similar agencies of the federal government, other states, and political subdivisions of Alabama. Among the stated purposes of these statutes is for the State of Alabama to encourage and assist emergency management and emergency preparedness on the part of the state's political subdivisions. Such assistance could include the granting of funds to the political subdivisions. The governor is given the ultimate responsibility for the state's emergency management with that responsibility being implemented through the emergency management agency.

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Throughout the above-mentioned statutes, there is reference to and authorization for mutual aid agreements entered into between the state and federal government, the state and other states, and political subdivisions and other emergency management agencies. Section 31-9-8(7) specifically states that in the event of an emergency, the governor may,

...utilize the services and facilities of existing officers and agencies of the state and of the political subdivisions thereof. All such officers and agencies shall cooperate with and extend their services and facilities to the governor as he may request.

It is the opinion of the Attorney General that the statutes providing for emergency management, when read as a whole, clearly authorize and encourage cooperation between the various emergency management agencies. Such cooperation would certainly include the loaning of necessary equipment during an emergency.

I hope this response sufficiently answers your question. If this office can be of any further assistance, please do not hesitate to contact us.

Sincerely,

CHARLES A. GRADDICK
ATTORNEY GENERAL

By-

A handwritten signature in dark ink, appearing to read "J. Callen Sparrow", written over a horizontal line.

J. CALLEN SPARROW
ASSISTANT ATTORNEY GENERAL

CAG:JCS:jd